

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE MERCEDES-BENZ  
EMISSIONS LITIGATION

Civil Action No. 16-881(KM)(ESK)

**ORDER**

THIS MATTER comes before the Court by way of a joint application by all parties for the modification of the Court's Order appointing the Hon. Dennis M. Cavanaugh (Ret.) as special discovery master pursuant to Rule 53(a) (ECF No. 195).

WHEREAS, the Court finds there is an interrelationship of the pending motion for class settlement (ECF No. 299) with the Mercedes Defendants' separate settlements with federal and California state agencies;

WHEREAS, the Court finds the corresponding need to expedite the process of evaluating whether to preliminarily approve the class settlement;

WHEREAS, this Court has fully considered the record and the requirements of law, and good cause appearing to modify the Special Master's authority to include overseeing the process to review class settlement(s);

IT IS therefore on this 15th day of September 2020, ORDERED as follows:

1. The scope of the Special Master's authority and tasks shall also include the following:
  - a. address all pending and future motions and applications for settlement pursuant to Rule 23 (including but not limited to

preliminary and final approval of any proposed settlement and any motion for attorneys' fees and costs).

2. The Special Master shall proceed with all reasonable diligence in completing the tasks assigned by this Order.
3. Any order preliminarily approving a proposed class settlement shall be deemed accepted and ordered by the Court until and unless there is a timely objection and the Court explicitly sustains that objection. Furthermore, pursuant to the Court's authority under Rule 53 and Local Rule 72.1, any objection or other motion relating to a preliminary approval order must be filed within 5 days of the date of the order. Further, any response must be filed within 5 days of the objection or other motion. No further briefing relating to an objection or other motion regarding a preliminary approval order will be allowed, unless ordered by the Court. The Court will endeavor (consistent with its calendar) to expeditiously adjudicate any objection or other motion. Objections to or appeals from orders or other actions of the Special Master, other than as to the preliminary approval order, shall be filed with the Court in accordance with the timelines set forth in Local Civil Rule 72.1(c), and otherwise governed by Rule 53.

**IT IS SO ORDERED.**

/s/ Kevin McNulty

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Hon. Kevin McNulty  
United States District Judge